

Senate Update – January 28, 2008

Last Week in the Senate

On January 22, 2008, the Senate passed the National Defense Authorization Act (H.R. 4986) by a vote of 91 to 3. This legislation has been presented to the President.

**Note: The House passed H.R. 4986 on January 16, 2008, by a vote of 369 to 46 ([Roll No. 11](#)). For additional information, click [here](#) to view the Legislative Digest for H.R. 4986.*

On the same day, the Senate began consideration of the Indian Health Care Improvement Act Amendments (S. 1200) that was introduced by the Chairman of the Senate Committee on Indian Affairs, Senator Byron Dorgan (D-ND). According to the Congressional Budget Office, this legislation would cost \$16 billion over five years and \$35 billion over ten years in discretionary spending. In addition, the Administration issued a veto threat for this legislation because S. 1200, as it is currently written, includes an expansion of Davis-Bacon prevailing wage requirements. ([Statement of Administration Policy for S. 1200](#)) The Senate has not voted on S. 1200 and is expected to return to considering it after the FISA legislation is completed.

**Note: Representative Frank Pallone (D-NJ) introduced companion legislation (H.R. 1328) on March 6, 2007. It was referred to the Committees on Ways and Means and Energy and Commerce, where it awaits full committee consideration. H.R. 1326 was reported, as amended, by voice vote from the Committee on Natural Resources on April 25, 2007.*

The Senate considered the FISA Amendments Act of 2007 (S. 2248) for the balance of the week. On January 24, 2008, the Senate voted to table the Senate Committee on the Judiciary's substitute amendment to S. 2248 by a vote of 60 to 36. According to the Statement of Administration Policy for this legislation, "the Judiciary Committee proposal would degrade our foreign intelligence collection capabilities. The Judiciary Committee's amendment would impose unacceptable and potentially crippling burdens on the collection of foreign intelligence information by expanding FISA to restrict facets of foreign intelligence collection never intended to be covered under the statute. Furthermore, the Judiciary Committee amendment altogether fails to address the critical issue of liability protection." The SAP includes a veto threat for S. 2248 if it contains the Judiciary Committee's amendment. ([Statement of Administration Policy for S. 2248](#))

**Note: The House passed the Responsible Electronic Surveillance That is Overseen, Reviewed, and Effective Act of 2007 (H.R. 3773) on November 15, 2007, by a vote of 227 to 189 ([Roll no. 1120](#)). ([Legislative Digest for H.R. 3773](#)).*

This Week in the Senate

The Senate is expected to resume consideration of S. 2248 on Monday prior to the President's State of the Union Address. The Senate is expected to consider a number of amendments to this legislation, and a vote on a motion to invoke cloture on the underlying bill filed by Senate Minority Leader Mitch McConnell (R-KY) is expected to be held on January 29, 2008.

In addition, the Senate may take up the Indian Health Care Improvement Act Amendments (S. 1200) after the consideration of S. 2248 is completed.

Key Hearings

January 30, 2008

Senate Committee on the Budget Hearing titled "Economic Stimulus: Budget Policy for a Strong Economy Over the Short- and Long-Term."

**Note: The Senate Finance Committee will be marking up a draft economic stimulus package at some point during the week, but the specific time has not yet been determined.*

Senate Committee on the Judiciary will hold a Justice Department Oversight hearing with Attorney General Michael B. Mukasey as a witness.

January 31, 2007

Senate Committee on Banking, Housing, and Urban Affairs will hold a hearing on Foreclosure Prevention.

Senate Committee on Energy and Natural Resources will hold a hearing on Carbo Capture and Sequestration Regulations.

Senate Committee on Health, Education, Labor, and Pensions will hold a hearing on the Economy and Working Families.